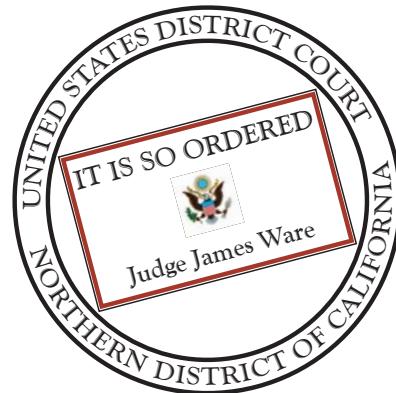


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7 PROVIDENT LIFE & ACCIDENT  
INSURANCE COMPANY



**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION**

CYNTHIA MENDEZ,  
Plaintiff,  
vs.  
UNUM PROVIDENT CORPORATION;  
PROVIDENT LIFE & ACCIDENT  
INSURANCE COMPANY,  
Defendants.

Case No. C04 01312 JW

**STIPULATION TO CONTINUE THE  
LAST DAY TO HEAR DISPOSITIVE  
MOTIONS AND FOR A LIMITED  
EXTENSION OF THE DISCOVERY  
CUT-OFF**

1 Plaintiff Cynthia Mendez and defendants UnumProvident Corporation and Provident Life &  
2 Accident Insurance Company, through their counsel of record, stipulate to the following changes to  
3 this Honorable Court's November 11, 2004, Scheduling Order:

4 The last day for hearing dispositive motions, originally set for August 29, 2005, is continued  
5 to October 17, 2005 (or to a date in mid October convenient for the Court's calendar).

6 The close of discovery, originally set for July 1, 2005 is modified to permit the following  
7 depositions:

8 Dr. Edward Damore on July 12, 2005;

9 Cynthia Mendez on July 14, 2005; and

10 Stephen Prater on a date to be determined in July, 2005.

11 KELLY, HERLITY, & KLEIN LLP

12 By \_\_\_\_\_  
13 Dated: June 3, 2005

14 \_\_\_\_\_  
15 John C. Ferry  
16 Attorneys for Defendants  
17 UNUMPROVIDENT CORPORATION  
18 AND PROVIDENT LIFE & ACCIDENT  
19 INSURANCE COMPANY

20 BOLD & BOLDN

21 By: \_\_\_\_\_  
22 Dated: June 9, 2005

23 Robert Bohn  
24 Attorney for Plaintiff  
25 CYNTHIA MENDEZ

26 FRIEDMAN, RUBIN & WHITE

27 By: \_\_\_\_\_  
28 Dated: June 15, 2005

29 Jeffrey K. Rubin  
30 Attorney for Plaintiff  
31 CYNTHIA MENDEZ

- 1 -

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STIPULATION TO CONTINUE THE LAST DAY TO HEAR DISPOSITIVE MOTIONS AND FOR A LIMITED  
EXTENSION OF THE DISCOVERY CUT-OFF

Case No. C04 01312 JW

## ORDER

In consideration of the stipulation signed by the parties and good cause appearing, it is hereby ordered that:

The last day to hear dispositive motions is continued to October 17, 2005.

The discovery cut-off date of July 1, 2005, is continued for the limited purpose of conducting the depositions of: Dr. Edward Damore on July 12, 2005; Cynthia Mendez on July 14, 2005; and Stephen Prater on a date to be determined in July, 2005.

## **IT IS SO ORDERED.**

Dated: June 15, 2005

/s/ JamesWare  
Judge of the United States District Court  
Northern District of California

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